As the Tribunal President was stating the Convening Authority, the Detainee made the following unsworn statements:

I am not an enemy combatant. I never carried a weapon or fought against the United States.

The Tribunal President asked the Detainee to hold his comments and he will be provided an opportunity to present his information in a few minutes.

Do I have a right to reply to all of the words that have been said against me? I know that about court, that people can defend themselves.

The Tribunal President stated the Detainee would have a chance to reply, but there were some administrative steps that must be completed first.

As the Recorder started reading the Unclassified Summary, 3(a), the Detainee stated it was not true. The Recorder continued with the Unclassified Summary without further interruption.

Tribunal President: Referencing D-a, you chose to participate in this tribunal and you requested three witnesses. One is a Detainee and will be here later. You requested two non-detainee witnesses and stated they would testify about your travel to Pakistan and you used your work vacation to assist refugees fleeing Afghanistan. This Tribunal panel has determined those witnesses to not be relevant.

Detainee: How can they not be relevant when they are witnesses to the truth and they are relatives?

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Tribunal President: Basically, we look for your actions and what you did in Afghanistan, in particular, and unless they were right there with you, they can't determine that.

Detainee: But they knew before...they knew I was going there.

Tribunal President: Unfortunately, that just shows intent.

Detainee: I also spoke to them on the telephone.

Tribunal President: As far as that statement, you are here today to provide us with your actions and we will accept that.

Detainee: I didn't have any activities in Pakistan; only the border with the refugees. I don't know anything about Afghanistan.

Tribunal President: Just for your knowledge, the only thing we have seen about you, so far, is the Unclassified Summary.

Exhibit O-c

Detainee: I will tell you the information that I've told the investigators before, but the information that I do not know, I cannot provide you with that.

Tribunal President: That makes sense. You may now present any evidence you have to this Tribunal and you have the assistance of your Personal Representative in doing so.

Detainee: Will the witness be here?

Tribunal President: He'll be here later; we want to hear from you first. Do you want to present information to this Tribunal and would you like to make your statement under oath?

Detainee: For sure. Are you going to believe in my oath?

Tribunal President: Certainly. If you take an oath, we will consider what you say to be true.

The Detainee was sworn.

Summarized Sworn Detainee Statement

I want you to know, by taking this oath; I will be judged to the end if I lie.

The Personal Representative assisted the Detainee in his statement by reading the points on the Unclassified Summary to the Detainee.

- **3(a)1 The Detainee traveled to Afghanistan from [redacted] in late September 2001 via Jordan, Syria and Iran.**

  I never traveled to Afghanistan and we never intended to travel there. We wanted to travel to Iran. After September 11 and after watching the news, that large population of refugees were pushed to the Iranian borders, so we went there to help aid them.

  We traveled by vehicle from Jordan to Syria and from Syria to Iran by plane because it was cheaper and it was close to our area, which is Joff. It's close to the Jordan/Syrian border. Also, I went for a dental appointment in Syria.

  When we got to the Iranian/Afghanistan borders, we asked about the refugees and immigrants. We were told they were on the Iranian/Afghani border. We thought they were inside Iran's border, but when we got to the border, the custom's man told us that the refugees were inside Afghanistan's border. They told us to enter Afghanistan to help the refugees and immigrants there.

After we offered help in some villages on the Iran border, we returned to the borders after three or four days and the Iranians did not allow us to enter Iran. We asked them if the borders were closed or open and were told to come back in a few days and we'd be able to leave and enter, with no problems.

We tried multiple times to enter Iran, but we were not successful. It appears to be due to prejudice; we were Sunni and they were Shiite. You know the conflict between the Sunni and Shiite Muslims. The immigrants and refugees were all Sunni. If the refugees were Shiite, we would have been allowed to enter without problems.

After trying and failing multiple times, I called my brother to help us. My brother told me to wait on the borders. We waited in a hotel on the Iran/Afghan border for a month and a few days. We were forced to go through Pakistan; it was the only way left for us to go.

The border police were telling us to go in an unofficial way, by bribing them. Also, a lot of smugglers offered us the same thing, a way to cross the border in an unofficial way for a bribe, for money. We strongly refused because we entered officially and we wanted to leave officially. We refused because we never worked that way before. That's what we get for being honest.

After that, we were forced to go through Pakistan, hoping to get back to our country. We had no other intent.

- **3(a)2 The Detainee reportedly traveled with an individual identified as another Detainee.**

Yes, my partner in travel is detained, just like me. That does not mean he was involved in any problems or something bad. We will find, in this prison, a lot of innocents who have no connections to terrorist activities. The Pakistani Intelligence sold us to you, even though we offered them our official passports, with our true names, to get an official permit to enter the country, through the Pakistani officials in the border office.

We never sought unlawful ways, even though we were offered, we strongly refused them. We entered all the countries officially, with our official passports, with our true names. That's what happens when you tell the truth, the tax for telling the truth.

- **3(a)3 The individual's name or alias is included on a list of Al Qaeda Mujahidin found on files recovered during a raid of Al Qaeda safehouses.**

If it is wanted, any organization can find the same names, but it could be another person. That alone, is not enough proof to prove it is the same person. But, if you provide complete evidence, a complete name, the mother's name, pictures and other documents on the accused person.

My friend does not have any connection to this organization or other organizations. We consider those accusations to be false and you have no evidence to support them.

Personal Representative: I would like to clarify a few points. Point 2 says the Detainee traveled with another person, who is a Detainee. Point 3 says the individual's name appears on a list. It is not the Detainee's name, but the individual's name that appears on the list.

Detainee: The reply was for my friend, my partner that traveled with me, not for me.

Personal Representative: It was not the Detainee's name on...

- **3(a)4 The Detainee is associated with Al Haramain.**

I did not have anything [to do] with Al Haramain, work wise, but I am a teacher and I work with administrative (inaudible) in [redacted] You can contact [redacted] to verify this. I am still a teacher in [redacted] and I work in the education field.

There was a cooperation with the humanitarian organization to adopt some of the orphans in Bangladesh and help some of the poor and needy in my city and the surrounding cities.

I would offer clothing and food to that program and some food to the people fasting during Ramadan, because their situation was difficult.

- **3(a)5 Al Haramain is a non-governmental organization (NGO) with ties to Islamic terrorism.**

Al Haramain is an official governmental organization, registered under the administration of the government in the [redacted]. It is officially registered and included in the Humanitarian Aid Association, and under the Administration of Internal Affairs, led by the Minister of Internal Affairs.

I have knowledge that the United States apologized to the [redacted] for accusing this humanitarian association for being a terrorist organization.

- **3(a)6 The Detainee is associated with Al Ighatha.**

  See Below.

- **3(a)7 Al Ighatha is a non-governmental organization (NGO) with ties to Islamic terrorism.**

  The sixth and seventh points are connected. These have never been mentioned before and I've never been asked about being connected to this organization.

  I have no conrection to that organization, either close or from a distance. I've never been told about this organization and I have no information about it.

  You accusing me of being connected to this organization; it is false and you have no truthful evidence.

- **3(a) The Detainee is associated with Al Qaeda.**

  I have no connection or association with Al Qaeda close or from a distance. My proof is that the person who traveled with me and I worked as teachers in governmental schools that belonged to the Ministry of Education of the [redacted]

  We traveled for a humanitarian mission and we were not connected to our governmental jobs. We left work after taking a short vacation to help out with this humanitarian mission.

  If you look at my work files, it will be clear. I've been working in the education field for 20 years. I've never left my country or my area the whole time. So, how can I have a connection to any organization if I've never left my work.

  In my own country, I was never called for investigation or questioning for any reason whatsoever. That proves my innocence from any accusation or any suspicion.

  Even the person I traveled with worked for approximately 17 years in the education field, and he's never been questioned by the security of my country and never left the country, to my knowledge.

  This assures that we do not have any connections to any terrorist organizations. We were working for the humanitarian, in general, and it is our goal in life. We were taught truth, work, honesty with others and understanding.

An additional point I'd like to make is that we were never trained in the military to be viewed as enemy combatants or soldier combatants. How can a soldier be called a soldier if he never carried a weapon?

In the [redacted] thank God, we do not have mandatory military service. We were never forced to join the military; it is voluntary only. We never traveled to any country to train for the military.

When we were arrested in Pakistan, we didn't have weapons, papers, books, or letters to indicate that we are connected to these organizations or any organizations.

Leaving our country was done officially, using an official, not a fake passport with our real names. Passing those countries we passed was also done officially.

When it [border] was closed, we never sought unlawful ways, even though the ways were provided and were there. We were offered [unlawful entry] by the Iranian border police, for a bribe. Also there were a lot of smugglers that made the same offer, but we strongly refused them.

I have two letters with me, and I had approximately 20 letters that indicate that our visit was official, true and that we went for humanitarian reasons to help the refugees at the border. After a search last year by the administration here in prison, they never gave back the letters. All those letters will prove the truth. Those [the 2 letters] are new letters because if they were old, I wouldn't have them, they would have been taken. Those letters prove our innocence, our humanitarian aid, which is the reason for our travel.

I called my brother from Iran's border and asked him to do whatever was necessary for the Iranian officials to allow us to return to our country, through Iran.

There is no reason for Pakistani's to give us to the United States. This board needs to know the truth.

The whole reason was that we were exchanged for money, that's why they refused to let us to return through their country and we were not allowed to call our embassy to help us go back to our country, even though we had official passports and we entered the country officially.

All [redacted] humanitarian organizations are registered and included in the [redacted] because they are governmental, so why are they called a non-governmental organization?

There is no reason for us to be arrested and kept away from our families and children for this long period of time. We've done no crimes. When have people ever been arrested with no accusation and then later were given false charges, which have no truth to them? The truth is very clear.

For your information, I personally was supposed to be released with that group of [redacted] that were released about a year and a half ago. The investigators told me my name was with them, in newspapers. That's more proof of my innocence and that I'm telling you the truth.

The Detainee read excerpts from a letter he received from his brother.

"Dear Brother,

It's hard for us with you being away from the family. It's sad to hear that you are imprisoned and they detained you while you were doing your duty for your Muslim brothers in Al Ighatha camp. May God listen to your hardship and release you."

The Detainee read excerpts from a letter he received from his uncle.

"Looking at your situation as a whole, you are in a prison better than us, My God, because you went to help aid the poor and the needy on the borders of Afghanistan. That's what God has caused. God is well and everything will be well because the reason you went there was for Him for a purely humanitarian reason. May God have your destiny."

Personal Representative Questions to Detainee

Q: How long have you known about Al Haramain?

A: It's a very well known organization in [redacted] and outside too. It's not a secret organization; it's a governmental organization.

Q: You told me, in our interview, about two children from Bangladesh.

A: Yes, I adopted them, at my house.

Q: You adopted them through Al Haramain?

A: Yes.

Q: How long ago was that?

A: Six or seven years before my arrest.

Q: Also, for clarification from our interview, did you tell me you are still employed as a teacher from [redacted]

A: Yes, that's true.

Q: You're still being paid?

A: Right now?

Q: Or your family.

A: I do not know anything about that situation. I've been away from my family for three years. They are supposed to [pay me] because I'm still assigned to work.

Tribunal Members Questions to Detainee

Q: Will you provide us with some additional information about your background?

A: Can you clarify?

Q: Of course, I will ask.

A: Go ahead.

Q: In [redacted] tell us about your family, about your wife, how many children...

A: My children?

Q: How many?

A: I have [redacted] children, [redacted] girls and [redacted] boys.

Q: That's including the two children you adopted from Bangladesh?

A: Yes. I'm not the only one who adopted them, my whole family adopted those children. My sister, brother and mother did too.

Q: Your usual occupation is a teacher?

A: Correct.

Q: What areas did you teach? What grades did you teach?

A: I teach art, but I can teach any other subject as well. I have the authority to teach any field that is open.

Q: You were predominately a teacher of secular subjects, not religious subjects?

A: Correct. If other fields were open, like math, science or religion, I'd have no problem teaching that because I took an oath to honestly do my job as a teacher.

Q: You told us you traveled to the Iranian border in order to help refugees, and you did this as part of a governmental organization.

A: No, it was personal.

Q: It was a family, personal decision and not directed by the government or by Al Haramain?

A: I was never under control of that organization, but as I mentioned before, I cooperated with them in my country, but not outside my country. It was a personal thing for me and my family.

Q: Your traveling partner was doing the same thing?

A: Yes, that's true.

Q: You told us that you traveled openly with your official passport and under your own name.

A: Yes, you have my passport with you.

Q: That was my next question. You had your passport with you when you were arrested in Pakistan?

A: For sure. I'd never leave my country without my official passport. That's my only proof of travel.

Q: You told us that you didn't want to travel unofficially into Pakistan.

A: Yeah, I refused.

Q: How did you then get into Pakistan? Did you obtain a visa or did you cross at a border point?

A: I passed through a checkpoint. They took my passport and that's where I was put in prison with no reason

Q: You were arrested when you tried to get into Pakistan?

A: It was official, too.

Q: Do you remember that date?

A: It's in Arabic. It was the 8th month, 28th day, year 1024. It was about 3 days before Ramadan. I don't know the Latin calendar.

Q: You said that you were sold for money by the Pakistanis. How do you know this?

A: That's true.

Q: How do you know that? Did you see them…

A: I heard from the people over there. They have seen…

Q: While you were in prison in Pakistan?

A: When I was handed over.

Q: Do you know how much?

A: I don't know, but they were saying from $5,000 to $8,000. It's a hard truth when human beings are sold and bought. That makes us go all the way back, when humans had no value. It's a shame for all human beings, in general, and all the people who believe in human rights.

Q: Did you pay for your own travel from the money you made as a teacher, or did someone else give you money to travel?

A: I am a worker; I get about [redacted] a month.

Q: You described that when you tried to return from Afghanistan to Iran, you believed it was discrimination on the difference between the two religious groups.

A: There is no other explanation for it, except that. I left officially, with an official passport, and I was going back officially, with an official passport.

There is information about what Iranians do in Mecca, an incident in a hatch.

Q: You stayed in a house or in a hotel in Afghanistan before you left…

A: No, I stayed at a hotel on the border.

Q: Do you remember the name of the city or the town?

A: Custom Islam Kallah (phoenetic).

Q: Who do your adopted children stay with?

A: I adopted them through the Al Haramain organization. They are the ones...I adopted them by providing financial support. The connection between us is the Al Haramain organization. I think they are in an orphanage.

Q: They do not physically live with the family?

A: No, they are adopted, but they are in their country. I financially support those two children.

Q: When you crossed from Afghanistan to Pakistan, were you near the Iranian border?

A: Yes, we passed through the borders.

Q: So, you walked down the Iranian border until you reached Pakistan?

A: No, in a taxi.

Q: How were you going to assist the refugees?

A: By giving them money.

Q: That's all you intended to do, just hand money to the refugees?

A: It's very difficult to take things with you. The easiest thing is money. You know that Afghanistan was not stable at that time. There were smugglers and problems, so money was the easiest thing to give.

Q: There were thousands of refugees. You were going to hand money out to these thousands of refugees?

A: I wish I was able to help them all; I only helped a small amount of them.

Q: How much vacation did you ask for to do this humanitarian work?

A: I took 7-10 days of vacation.

Q: Your route from [redacted] went through Syria and Jordan and into Iran?

A: What are you wanting to clarify?

Q: I wanted to verify. Was that your route? [redacted] Syria, Jordan and then Iran?

A: [redacted] Jordan, Syria, then Iran. From [redacted] to Jordan by vehicle. From Jordan to Syria by car also, and from Syria to Iran, by airplane.

Q: Did you say you stopped in Syria to have your teeth fixed?

A: Yes, for two days.

Q: Was this planned before you left [redacted] Do they not have dentists in [redacted]

A: It was all planned; the humanitarian aid and to also fix my teeth.

Q: Do they not have dentists in [redacted]

A: Dentistry in Syria is very well known. We have doctors in bigger cities, but not many where I'm from. We usually go to Jordan or Syria for treatment; [redacted]

Q: Did you respond to any fatwa to assist the refugees?

A: No, it was without fatwa, but my religion and my belief told me to help the poor. I do not need fatwa to help the poor.

Q: Do you believe in jihad?

A: No, I don't have any information about jihad.

Tribunal President's Questions to Detainee

Q: I'm assuming when you left [redacted], you had a visa to go into Iran?

A: No, you don't need a visa; you only need a passport.

Q: Did you anticipate having a problem going into Pakistan? Does it require a visa?

A: No, the opposite. If I faced problems it would have been in Iran, not in Pakistan. The relationship with [redacted] and Pakistan are better than the relationship between [redacted] and Iran.

Q: I thought you said your brother was trying to help you on the Iranian border.

A: Yes, in the old letters I used to receive, my wife told me that she mentioned my [redacted] tried to help me. How my [redacted] sent someone from the embassy to help me at the borders. It took a long, long time and I was afraid. I spent all of my money and the situation was getting more difficult and I was forced to go a different way...through Pakistan.

Q: Your travel partner is also a teacher?

A: Yes, he's not just a teacher, he's a school principal also. He was a teacher, but now he's a principal.

Q: How well do you feel you know him?

A: I know him through teaching. There was no relationship between us, just as teachers.

Q: It was only a professional relationship?

A: Yes.

Q: You were probably not aware of what he did outside of teaching, then?

A: No, I know he's a good person. If he wasn't a good person, I wouldn't have chosen to travel with him. He is a good man and he has a family, just like me.

Q: Thank you for participating today. Is there anything else you'd like to share with us?

A: I hope for the Tribunal members and everyone here to have mercy on me and my family. The only thing I have done is to try to help the poor. I hope you have mercy on me, do your best and do justice. I hope that justice will prevail.

The Personal Representative called the Witness, [redacted]

The Tribunal President explained the process for questioning the witness to the Detainee.

The Witness was sworn.

When given the opportunity to ask questions of the witness, the Detainee asked his Personal Representative to question the witness.

Personal Representative's Questions to the Witness

Q: How long have you known [redacted]

A: About 3 years before leaving to help the refugees.

Q: Are you a school principal?

A: Yes.

Q: Did [redacted] work at your same school?

A: No.

Q: Did you know him from another school?

A: Yes, he works in another school.

Q: How did the two of you meet?

A: Through teaching.

Q: Did you know each other very well?

A: There is no strong relationship between us; we met twice.

Q: Whose idea was it to go help the refugees?

A: It was our idea.

Q: Was there a lot of news in [redacted] about the refugees?

A: Yes, I heard it on a radio station.

Q: Were there a lot of people from [redacted] that went to help?

A: I don't know.

Q: Was school in session when you decided to go help?

A: Yes.

Q: You also took a vacation, to go with [redacted]?

A: Yes.

Q: Both of you had official passports to go?

A: Yes.

Q: The part of Pakistan that you wanted to help...why did you choose that place?

A: I don't understand the question.

Q: What made you decide to go to the refugee camps in that part of Pakistan?

A: In Pakistan?

Q: In Afghanistan, on the border.

A: Because I heard there were refugees there on the radio, and we went to Iran.

Q: How did the two of you want to help the refugees?

A: With humanitarian work.

Q: Food, clothing, money...?

A: Money.

Q: Did you carry money with you?

A: Yes.

Q: Did you actually go into the refugee camps at any time?

A: Yes.

Q: And you gave away the money you could?

A: Yes.

Q: The two of you were together the whole time during your travels?

A: Yes.

Q: How long did you plan on staying in the refugee camp to help?

A: Three or four days to give the money out.

Q: You were planning on being away from [redacted] for how long?

A: Until our mission was finished.

Q: A month, two months, three months...?

A: No, less than 10 days, but the mission was three or four days.

The Detainee and the witness started talking back and forth, without allowing time for translation. The Tribunal President advised both to stop the cross-conversations and allow translation.

Detainee: They asked you [Witness] if we were going to stay there for 2-3 months for our humanitarian mission. I don't think the Witness understood the question. It should be repeated to him.

Q: How long did you plan on helping out at the refugee camp? How many days?

A: Until the money was gone; three or four days. I understood the question to mean after leaving [redacted] how long were we planning to stay.

Q: While at the refugee camp, is that when the Iranian border closed?

A: Yes, after a period of time we returned and that's when we found out it was closed.

Q: The two of you were on the border of Pakistan/Afghanistan. Were you on a small piece of Afghanistan or not? Close to or into Afghanistan?

A: We were on the border of Iran, trying to enter Iran.

Q: Did you ever go into Afghanistan? Either one of you?

A: The mission was on the border of Iran, but inside Afghanistan.

Q: How far into Afghanistan did either of you go?

A: Directly on the borders, close to Iranian villages.

Personal Representative: I bring this up to the Tribunal because of the evidence of going into Afghanistan.

Q: How do you view [redacted] as a person? With respect? Kindness? What kind of person is he?

A: A humanitarian person who has no connection to any terrorist organizations.

Tribunal Member's Questions to the Witness

Q: Why did you choose the travel route through Jordan and Syria to Iran?

A: Because our city is very close to the Syrian border and also because we were both seeking dental treatment. I was planning, on my return trip, to go to the same doctor for dental work. The cost of treatment is cheaper in Syria and Jordan, as well.

Q: What about the cost of travel? Was that the most efficient way to travel to Iran?

A: I don't know the other ways, but because Syria is close, it's cheaper.

Q: Did you see the same dentist that [redacted] saw?

A: Yes, I went with [redacted] to the same doctor, but I did not get treated there. I was waiting to return to get treated.

Q: We've been told your name appeared on a list of Al Qaeda Mujahidin fighters in a raid on a safehouse. Do you know about this? Is this true?

A: It's not true. I'm shocked about the accusations.

Detainee: I think he answered this question completely and he has said enough about this question. This is about me, and he [Witness] is just a witness.

Witness: I can talk about it. It's no problem. All the evidence [redacted] has provided to the Tribunal proves that I have no connection to any organizations. How can an educational person, who spent their whole life teaching, who never carried a weapon in [redacted] or outside be Al Qaeda? I think this is just an accusation. It is not the truth and it will now be proven. I know myself better than anyone else knows me.

I hope you do justice now on this point and on other points. Be fair.

Q: Do you know anything about an organization called Al Ighatha?

A: I do not know anything about the organization and I have no connection to that organization or any other. Our mission was a personal, humanitarian mission.

Q: Do you or [redacted] belong to Al Haramain?

A: I have no connection to Al Haramain. [redacted] cooperated with them inside the city.

Tribunal President: Thank you for participating. You are excused.

Witness: I hope you will be fair with this case and away from other influences. If you can prove he's [Detainee] Al Qaeda, present him to a hanging.

As the Tribunal President was explaining the ARB process, the Detainee wanted a definition of "threat". The Tribunal President advised it was someone that could harm us or our interests.

Detainee: I am not capable of that. That's not part of my interests...Coalition forces or others. I have been detained for no reason up to this minute.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

[redacted]

Colonel, United States Army
Tribunal President

X

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Summarized Detainee Statement

Tribunal President: [redacted] you may now present any evidence you have to the Tribunal, and you have the assistance of your Personal Representative in doing so. Do you want to present information to this Tribunal?

Detainee: Which statements?

Tribunal President: Would you like to respond to the unclassified evidence?

Detainee: Yes, I do.

Tribunal President: Would you like to make your statement under oath?

Detainee: It does not make any difference. If I can be sworn in, or I'll do it either way.

Tribunal President: Recorder, please administer the Muslim oath.

Detainee: Fine.

The Detainee was sworn using the Muslim oath. In the section that follows, the Personal Representative read the allegations on the Unclassified Summary of Evidence one at a time, followed by the response to the allegation that the detainee had previously given him (see Exhibit D-b). The detainee added comments as he deemed necessary.

3.a.1. The detainee [redacted] traveled to Afghanistan in early 2001.

Personal Representative on behalf of the detainee: Yes, this is true. I went to Afghanistan as an immigrant.

3.a.2. The detainee stayed at the "House of [redacted]" guesthouse in Jalalabad.

Personal Representative on behalf of the detainee: Yes, this statement is true.

Detainee: Yes, it is true.

3.a.3. The detainee trained on the assembly and disassembly of the Kalashnikov rifle.

Personal Representative on behalf of the detainee: Yes, this statement is true.

Detainee: Regarding number three, this is true.

[redacted]
Enclosure (3)
Page 1 of 10

UNCLASSIFIED//~~FOUO~~

3.a.4. The [redacted] government has listed the detainee as an extremist who lived in [redacted]

Personal Representative on behalf of the detainee: No, I didn't go there. I went to Italy in 1995 and the war was over in 1994. This is the first I have heard of this town.

Detainee: The year was 1994. This statement [referring to the Personal Representative's answer on behalf of the detainee] is correct.

3.a.5. The detainee was a member of the Sami Essid Network.

Personal Representative on behalf of the detainee: I don't know what this Sami Essid Network is.

Detainee: This statement [referring to the Personal Representative's answer on behalf of the detainee] is true I don't know who that is.

3.a.6. The Sami Essid Network provides financial support to terrorist groups.

Personal Representative on behalf of the detainee: My answer is the same as in number 5.

3.a.7. The detainee was sentenced to twenty years imprisonment in [redacted], for being a member of a terrorist organization operating abroad.

Personal Representative on behalf of the detainee: This is an allegation I don't know anything about. This concerns the [redacted] government and I know nothing about it.

Detainee: Of course I don't know anything about it.

3.a.8. The detainee possibly falsified passports for fleeing Al Qaida combatants who make it to Europe.

Personal Representative on behalf of the detainee: I have not done this. If I forged passports, I would not use my own. I would be the first person to use a forged one.

3.a.9. The detainee was captured on the Afghanistan-Pakistan border by Pakistani military forces.

Personal Representative on behalf of the detainee: Yes, this is true.

Detainee: Number nine is true.

[redacted]
Enclosure (3)
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The Personal Representative introduces into evidence a written version of the detainee's answers to the allegations on the Unclassified Summary of Evidence and a copy of the detainee's passport, marked as Exhibits D-B and D-C, respectively.

Tribunal President: Personal Representative, this [referring to Exhibit D-C] has not been translated, so how are we supposed to know what it says?

Personal Representative: We have to use our translator.

Tribunal President: If you are handing it in, it is supposed to be translated.

Personal Representative: The detainee was indicating to me that this would show he was not stamped into Bosnia.

Tribunal President: As I am reviewing Exhibit D-C, I can't understand what the stamps mean. I can't determine if there is a Bosnia stamp there or not.

Detainee: The majority of the stamps on the passport, they are in the French. They are stamped in French or the Italian language.

Tribunal President: Okay, it looks like I am going to need some help from [redacted] I am going to need your help in telling me what these stamps mean.

Detainee: Of course.

Tribunal President: [redacted] if you can call out each page and tell me what does that mean.

Detainee: I went from [redacted] to a place called Palermo. On [redacted]. Did you want me to mark this stamp, or what do you want me to do with this stamp?

Member: Is there a page number?

Tribunal President: Yes, what is the page number for that one?

Detainee: Page 6 of 9. It would be a good idea just to mark the stamp.

Tribunal President: Is that the only page?

Detainee: This is, I believe enough evidence to prove my innocence. This is the only stamp that I have here.

Tribunal President: Okay, is there a stamp that relates to [redacted] traveling from Italy to Afghanistan?

Detainee: Yes, there is. I have the visa stamped on my passport.

Personal Representative: Page 7.

Detainee: On page 7 of 9, that visa, and on page 8 of 9 is my exit visa from Italy.

Tribunal President: Okay, is that all we need to know about that exhibit?

Detainee: That's all I have to say regarding the passport.

Tribunal President: Okay. Thank you. [redacted] I understand that you may have additional information that you would like to provide for us?

Detainee: I don't have anymore to say.

Tribunal President: Personal Representative, do you have any questions for the detainee?

Personal Representative: No, ma'am.

Tribunal President: Recorder, do you have any questions for the detainee?

Recorder: No, ma'am.

Tribunal President: Do any Tribunal members have any questions for the detainee?

Member: Yes, ma'am. Why were you in Afghanistan? Why did you travel there?

Detainee: They have asked me so many times.

Member: We have not seen your record. This is all fresh and new to us. We have no knowledge.

Detainee: I was leaving because I wanted to immigrate.

Member: But why? In order to do what?

Detainee: Because I became a Muslim when I was in Europe. My country was very tough on the Muslims. Afghanistan was a country where they were willing to take anybody, you don't need any money to live there, and they welcome all the Muslims.

Member: How did you learn about Afghanistan?

Detainee: That's a known fact. Everybody knows this.

Member: Did you pay for your own trip to Afghanistan?

Detainee: Yes, I did.

Member: While you were in Italy, what did you do? What was your occupation?

Detainee: I was a telephone sales representative, and also a representative selling advertisements. Also I was self-employed.

Member: Okay. You said that when you were in [redacted], that you stayed at the "House of [redacted]" correct? I'm sorry, excuse me, not [redacted], Afghanistan.

Detainee: That's true, I did.

Member: While you were there, did you ever see any soldiers or militia?

Detainee: I saw a lot of people there, but I am not sure which ones were militia and which ones were not.

Member: Did most of them have weapons?

Detainee: No, I did not see anybody with weapons.

Member: Why were you trained in the Kalashnikov?

Detainee: I did not go into the army in [redacted] and it is compulsory to go in the army in [redacted] Since I did not go into the army, I wanted to learn something about the Kalashnikov or the other weapons, and I don't think this is a crime.

Member: That's all I have right now, ma'am.

Tribunal President: Okay.

Member: Where did you get the training on the Kalashnikov?

Detainee: Inside the house.

Member: So, you did not shoot it at all?

Detainee: I never did.

Member: When were you captured?

Detainee: I forgot the date, but I believe it was sometime in September towards the month of Ramadan. Either the end of it, or the beginning of Eid.

[redacted]
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Member: So Eid would be at the end of Ramadan?

Detainee: Yes, it is.

Member: How did you leave Afghanistan to go to Pakistan?

Detainee: There was one road, but that was closed to go from there to Jalalabad. We had to take second route, which was towards the mountains.

Member: Was this towards the mountains that are called the Tora Bora mountains?

Detainee: Yes it is.

Member: And did you travel by yourself, or were you with other people?

Detainee: I traveled by myself. When you asked me that I traveled, what are you referring to?

Member: When you are going from Jalalabad to where you were captured by the Pakistanis.

Detainee: I thought you were talking about Italy.

Member: Oh, okay.

Detainee: I was with a group of people, and then everybody went their own direction.

Member: So when did they go in their own direction? Were you already in Pakistan when you went on your own direction?

Detainee: Close to the border.

Member: Were people armed? Did they have weapons to go to the mountains?

Detainee: They did not have any weapons.

Member: Did you see any fighting or any bombing as you were going through the mountains?

Detainee: I heard of the bombing and the fighting, but I did not see any.

Member: Okay, I have no further questions.

Tribunal President: How long did you live in Italy?

Detainee: I lived there for 6 years. Since 1995, and before that I was in Rome. So the total period is like 7 to 8 years.

Tribunal President: Was it your intention to stay in Afghanistan?

Detainee: That depended on the situation once I got there.

Tribunal President: When you realized that there was bombing and there was a war, what were your intentions?

Detainee: The United States is one of the super powers. I did not have any intentions.

Tribunal President: Once the war started, was it your intention to stay there, or were you ready to leave?

Detainee: I wanted to leave.

Tribunal President: Did you travel for a jihad?

Detainee: No, I did not. I went there 10 months before the U. S. forces got there.

Tribunal President: Was there a person that encouraged you to go to Afghanistan?

Detainee: This was of my own thinking and my own doing. There was no other guy.

Tribunal President: Was there anyone that assisted you with finding a place to stay?

Detainee: There was not a specific person, but there was a guy who helped me go to the Algerian safehouse.

Tribunal President: Who would that be?

Detainee: Yes, there was a guy. His name was [redacted]

Tribunal President: How did you know [redacted]

Detainee: When I went to the mosque, I knew of him.

Tribunal President: What mosque and where?

Detainee: In Milan, there is a mosque over there. The name of the city I believe is Via Boivia.

Tribunal President: What did [redacted] help you with?

Detainee: He just assisted with the place I go to.

Tribunal President: Were there any other cities or villages you attended or went to while in Afghanistan?

Detainee: I passed by Iran, and Mashed.

Tribunal President: And what was the last one again?

Detainee: Mashed.

Tribunal President: Is Mashed in Afghanistan?

Detainee: In Iran.

Tribunal President: Were there any other cities or villages that you stayed or visited?

Detainee: I passed by, I am thinking of the city's name, Herat. The name of the city is Herat and then from there I went to Kabul.

Tribunal President: Did you stay in Kabul for any length of time?

Detainee: Yes, I did.

Tribunal President: How long were you in Kabul?

Detainee: Too long.

Tribunal President: Was that a week or a month?

Detainee: More.

Tribunal President: A year?

Detainee: Less. I stayed there for approximately 9 months.

Tribunal President: What did you do there?

Detainee: This is a new form of interrogation. In the past 3 years, I got so sick and tired of all the interrogations, but I will answer the question. I stayed in a house where I was getting some advance religious training or schooling. If an interrogator asked me that question, I would not answer it, but because of my respect for the Tribunal, I will answer that question.

Tribunal President: I appreciate that. Do you know the name of the house that you stayed in?

Detainee: There was no name, but it was huge house.

Tribunal President: Do you know if the house was owned by the Taliban or Al Qaida?

Detainee: I don't think so.

Tribunal President: Were there soldiers or fighters there?

Detainee: No, there was not any. They were all students.

Tribunal President: How did you support yourself while you were in Afghanistan?

Detainee: I had a little bit of money with me.

Tribunal President: Did you receive any money or give any money to any foundations or organizations while you were in Afghanistan?

Detainee: I had a small amount of money. How can I give them money?

Tribunal President: Thank you for answering our questions. Is there anything else that you would like to add to your story or your statement?

Detainee: No, I don't have anything to say.

Tribunal President: Any other Tribunal members have any questions?

Members: No, ma'am.

Tribunal President: Personal Representative, do you have any other evidence or does the detainee have previously approved witnesses to present to the Tribunal?

Personal Representative: Madame President, I have no other evidence and there are no witnesses.

Tribunal President: All unclassified evidence having been provided to the Tribunal, this concludes this Tribunal session.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

[redacted]

Colonel, U.S. Army
Tribunal President

Summarized Sworn Detainee Statement

The Tribunal President read the hearing instructions to the Detainee. The Detainee requested additional clarification of the purpose of the proceedings. The Tribunal President explained the process a second time. The Detainee then confirmed that he understood the process and had no questions. The Recorder presented the summary of evidence in full to the Tribunal. As the Tribunal President explained the proceedings, the Detainee interrupted and stated the following:

Tribunal President: The Detainee had requested no witnesses or documents be produced for the Tribunal today.

Detainee: I don't have witnesses, but I have a lawyer in [redacted].

Tribunal President: Your lawyer will not be available for this session.

Detainee: How can I bring witnesses? I have no witnesses. I have one friend that came with me from Afghanistan. He is here, I can bring him, and he will say everything. But he's not here, so I don't know who to bring as a witness.

Tribunal President: I understand. As we indicated earlier, and you indicated earlier, you have no witnesses to appear today.

Detainee: Yes, sir.

The Tribunal President then asked if the Detainee still wished to participate in the Tribunal, and if he would like to take the Muslim oath. The Detainee indicated he still wished to present evidence, and took the Muslim oath.

The Personal Representative then stated each point of unclassified evidence separately to allow the Detainee to respond, and included notes he had gathered from the Detainee in a previous interview.

Personal Representative: We met on the 25th of October, three weeks ago, for about 70 minutes. We discussed the summary of evidence, and he (the Detainee) was given the options on how he wanted to present it. We decided we'd present the evidence together, especially since it's three weeks old.

Regarding the first two points now: *(3.a.1) The Detainee traveled from Germany to Afghanistan via Turkey and Pakistan in September 2001 and (3.a.2) The Detainee received training on the AK-47, RPG's, grenades and pistols at al Farouq; all of the aforementioned training occurred sometime in September 2001:* On the first point, he said he did travel. On the second one, regarding the training on the different weapons systems at al Farouq, they will be addressed together. The training, he stated, on the AK-47 and RPG, were done in his home country of [redacted]. He stated that every [redacted]

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was asked to perform two years of military training. When asked if he went to al Farouq, he said yes, he went there for 12 days and got some training; of course he received training, he stated he didn't go there as a tourist. For a matter of record, the Detainee stated he only received training on the AK-47. (To the Detainee): Is there anything you would like to add regarding this item?

Detainee: The five accusations, I confessed myself. What hurt me hurt my kids. I talked to interrogators for 2 ½ years. I didn't speak to them to harm me, I was telling them the truth. I didn't want to lie to them, or (for) those to be used to harm me.

Personal Representative: And I think as we proceed through the remaining evidence, that will come forward; your story and what you have said to be your truth.

Detainee: Yes.

Personal Representative: *(3.a.3) The Detainee received camouflage and physical training at a facility near Kabul known as "Camp Nine" after America was attacked.* Regarding this, he stated in our previous meeting that he did not receive physical training or camouflage training. Others had gotten physical training, but the Detainee claims he did not.

Detainee: Yes.

Personal Representative: *(3.a.4) The Detainee was captured in a house where he stayed with a senior al Qaida leader in Faisalabad, Pakistan.* On this fourth point, he stated yes, he was in Pakistan. And you (the Detainee) may need to help me on this because there's a lot of information here. The houses, he stated, each had supervisors. The house you stayed at was (affiliated with the) al-Tabligh (Jamaat al-Tabligh) society. Their mission was to recruit Muslims. The people of al-Tabligh would move people between different houses, and he stayed at two houses. The first house was for two months, and the second one was for one month and ten days. You waited there until at such time you were told where to go next, and you were told to go to Faisalabad until people would come to give you your passport, and then send you back to Germany, which is where you lived. You stated you were with three people, a Yemeni, a Russian and yourself. You went by car to this house, and the supervisor of that house was([redacted]) ([redacted]) would go to get food and supplies because he had a motorcycle. When you were at this house, you were all three told that you were brought to this house by mistake. You were told that after the evening prayer, you'd all be moved to another house. You told them you would not leave. Can you clarify the reasons you would not leave?

Detainee: Yes. I was here for about three months. They transferred me because of problems with people inside of house. There were always a lot of people. There were problems with food and sleeping areas. They didn't let me sleep or eat well, and nothing was organized, so I always had problems. One of the people from the Tabligh group told me they would take us to another house so we could be relaxed. A car came, and he brought us all three to Faisalabad. After going there, we stayed in one house. And then a vehicle came and took me to the house I was arrested. We stayed in that house for maybe an hour to an hour and a half. The supervisor of the house was a Pakistani named ([redacted].) He told us you have to go to another house because it was a mistake. The house was big and nice, everybody had their own room, and I didn't want to leave. I had my own room and put my clothes and belongings in that room. I told him I wouldn't leave there until I get back my passport and then I'll leave. After the evening prayers, they brought the vehicle, and I was told to take my belongings and go with the Pakistani, but I refused to leave. I stayed there about two days. The guy from al Qaida, ([redacted],) questioned me as to who I was, what I was doing here and who brought me. I said I'm from Germany waiting on my passport. When I get it, I will leave. He said, no problem, you can stay here for a week. I stayed there for about twelve days and the Pakistani police came. They took us to prison. ([redacted]) was arrested with us, you can ask him about us.

Personal Representative: That was consistent with the notes of our meeting on 25th of October. And it also covers the unclassified evidence, up to item 4, the circumstances of his capture. Regarding *(3.b.1) The Detainee carried an AK-47 on the battlefield* and *(3.b.2) The Detainee volunteered to fight on the Northern front in the vicinity of Bagram, and did so for a period of approximately two months*, you told me you did not carry an AK-47 on the battlefield. You stated you were with the Taliban because they were giving you freedom. When you were ordered to leave Afghanistan, you left the Taliban, and gave back the AK-47 you were given in Kabul. Regarding fighting on the Northern front, you explained that during that time there were three lines. The first line was the Taliban, the second line was the Pakistanis, and the third line was the Arabs. You told me you had no animosity or hate towards Americans, and that you did not come to Afghanistan for the purpose of fighting. You stated you came for personal reasons, and mentioned you wanted to express those reasons to the Tribunal. Do you still want to express those personal reasons to the Tribunal?

Detainee: I left Germany. I went to prisons in Germany and in Italy, a lot of prisons. In July 1999 was the last day I was in prison in Germany. I didn't have anything but my [redacted] girlfriend. I was told to go there to buy heroin because it was cheaper there; in Europe it is very expensive. We agreed that we would leave and buy (heroin) and come back. I went to Afghanistan and found everything. The Taliban officials did not let me leave Afghanistan. I had no passport or identification. They told me you cannot leave unless you are given an order. So for two months or so, they bought vehicles and told us to put our weapons in those vehicles, and then we left for Pakistan. That's it. I didn't enter there to fight with the Taliban. Even in ([redacted]) when I was in the military, I did not complete my duty; I left before. Every time I was given a month for leave, I would leave for a year. I didn't like military training. I didn't like Afghanistan; I wanted to live in Europe. It was a mistake going to Afghanistan.

Tribunal President: Does this conclude your statement?

Detainee: I don't understand. I have questions about the five points. The training at Camp Nine, I told the interrogators that I didn't have the training; I just told them the truth about the training others were doing. I could've said I never went to Afghanistan, they would've believed me. I didn't go there to fight. I didn't want to die; I have a wife, children and a girlfriend. I told them the truth from the time I left Germany until I went to Afghanistan. I didn't have the training. That was the first time I went to Afghanistan, so when I was told to go here or there, I went because I didn't know where to go. I chose to go with the Taliban because there were problems with the Arabs every day. The Taliban gave me the freedom to go anywhere. Arabs are given certain times to get up and certain times to go to the market. My friend and I had a lot of problems. We went to the Taliban and were relieved. The Taliban never told us anything and we were free to go to the market or anywhere. At that place, there were airplanes flying, they told us to leave that place and go to our families. I had a Kalashnikov, and gave it to them when the vehicles came, and went to Pakistan. I was the one that told them this. They asked (the interrogators), and I told them the truth. There's no lies in this story. There's no negative or positive, or anything added or taken from it.

Tribunal President: We understand. This is why we welcome your testimony here today to clear up any questions we might have.

Detainee: Now I was able to say it, and it is out.

Tribunal President: We certainly welcome the truth, and appreciate your openness with these statements that you have made. We'll have some questions, but before that, is there anything else you'd like to make known to us?

Detainee: If you have a question, I will answer you.

The Tribunal President then asked the Personal Representative if he had any questions for the Detainee, or had any additional information to present to the Tribunal.

Personal Representative: (to the Tribunal) Sir, the one point is that the statement he has made to this Tribunal was consistent with the session we had three weeks ago. I just have a couple questions for the Detainee.

Q: When did you move to Germany?

A: I was in Italy, then Germany.

Q: When did you go to Germany?

A: 1994.

Q: Are you still a citizen of [redacted] or [redacted]? What country do you claim for citizenship?

A: I have ([redacted]) citizenship and am a permanent resident of ([redacted].)

Q: Did you travel to Afghanistan with legal papers?

A: No. It was a fake passport. It was not original.

Q: What was the reason why you traveled with a fake one?

A: In Germany, they wouldn't give me a passport, only a permit to just move from Hamburg. Even from Hamburg to Bamburg (phonetic)(another city in Germany), they would punish you.

Q: Is that because you had prison time?

A: Yes.

Q: So you traveled illegally, and for illegal reasons, to get pure heroin?

A: Yes.

Q: And who gave you the money?

A: I had money. And a person from Tabligh (Jamaat al Tabligh) brought me the tickets.

Q: Your main, prime reason to go to Afghanistan was for what?

A: Drugs.

Q: You did go to al Farouq to train on a Kalashnikov. Could you explain why you did that?

A: The person that brought me the tickets from Hamburg told me to go to Pakistan. He told me there'd be one or two people waiting for me. He gave me his name. When we got to airport at 2 a.m., they saw us because we didn't look like Pakistanis. We got a rental car, went to a hotel. We stayed there about three days. He showed us the way and bought us clothes. He bought us plane tickets from Karachi to Quetta. The reasons I went were not known to them. I didn't want them to kill me or anything. And they showed me where to go to get to the Taliban center. We stayed for two or three hours before we went to Kabul. They brought us a car just to get to Kabul, and then to Kandahar. When we got to Kandahar, they took us to a guesthouse for Arabs. When we went there, there were about 25 or 26 Arabs in the house. We stayed there about 3-4 days; we were divided into two groups, and we walked to al Farouq. Then the incident happened in the U.S., so they told us to leave al Farouq and go to the mountains. We were there for 12 days before we were taken to Kabul.

The Tribunal President then asked any Tribunal Members if they had any questions of the Detainee.

Q: Good afternoon. I just have some things I want to clarify from what you told us today. I'll go to the most recent first since it's fresh in our mind. When did you first realize you were going to al Farouq - in the guesthouse or before that?

A: When I got to it.

Q: You didn't know you were going until you actually got there?

A: We got to the place where there were a lot of military personnel; then I saw the flag, and it was what I remembered from a tape I saw in Germany. The flag had al Farouq written on it like I saw on the tape.

Q: What was the tape about that you saw in Germany?

A: A Moroccan missionary was the one that bought me tickets to Pakistan and was the one that showed me the tape. I saw a tape in which one was for Chechens, and one for Afghans. He would show the tapes and ask if you wanted to be a jihad fighter, and would buy them tickets to send them there.

Q: This man was not a Jamaat al Tabligh person, he was someone else?

A: He walked by himself, and you would always see him at the mosque.

Q: Is that where you first met him was in a mosque?

A: Yes.

Q: And that was in Germany; the mosque you attended?

A: Yes.

Q: So he wanted you to go to be a fighter, but you went for other reasons as you said?

A: Just go and train and come back, he told me if you want to stay, then stay. I told him I would go, but inside myself I knew I was coming back.

Q: Did you believe or know him to be an al Qaida person?

A: Before I didn't know, but right now, I think he is.

Q: When you went to Afghanistan to get the drugs, was it to sell them to earn a living or use them because you needed to?

A: I didn't want to use them. I wanted to earn money to open a club with my girlfriend in Germany. If you can contact her, you can ask her.

Q: And she encouraged you to do this?

A: We both chose this together. I knew her from before when we used to go to dance clubs together and do cocaine together. In 1999 when I got out of prison, I found out a kilo is cheaper in Afghanistan. It was $700 per kilo in Afghanistan, but in Germany, it would be worth $330,000 for one kilo. I wanted to bring 5 or 6 kilos back, sell it for money and buy a club. I hated being in prison.

Q: Reference your timeline of the things you were doing in Afghanistan; which happened first, when you were in al Farouq and you tried to leave, or when you went there and got the drugs, tried to leave but they wouldn't let you?

A: First thing I went to Kandahar. We didn't know directions or the language, and the Moroccan guy told us where to go. When we entered Kandahar walking, we just wanted to make it to our goal. We got to Camp 9, and they wouldn't let us leave. I had problems with them until the Taliban came, and I went with them. Then I went to Bagram. Any crowd that came in with the food, I went with them, no problem. I was free, no one was telling me to sit, get up, move; no one was telling me to do that. Even the Taliban told us to go to Pakistan, and we went.

Q: I thought there was a part where you mentioned that you were trying to leave, but you weren't permitted to because you hadn't received an order to leave?

A: In Camp 9, I was told not to do anything without an order. They wouldn't even let us by food from the outside. Every day, rice and tea, rice and tea, rice and tea. It was like a house with no neighbors.

Q: How long were you at Camp 9?

A: About a month or 25 days.

Q: You mentioned you didn't get the camouflage or physical training, but others did; what did you do instead?

A: Even in the morning they would tell me to get up and run to do the physical training, and I would curse them. I did not want to run. I always had a problem running. Especially when you are sleeping, they would come and wake you up to run; this is why I left the military there in [redacted].

Q: They just let you do your own thing for a month?

A: They couldn't do anything; I was in my room sleeping. I would put a big piece of wood on my door so they couldn't open the door until about 9 a.m. in the morning. They gave me and my friend bad treatment.

Q: You mentioned you gave your rifle back to someone; where did you get it in the first place?

A: The Taliban gave it to me. When we were leaving, they took them from us. The magazines were taken, too.

Q: Was this at Bagram that this happened?

A: Yes.

Q: So at al Farouq and Camp Nine, you didn't have a weapon?

A: There was training, but they don't give you one.

Q: What kind of training did you have in the [redacted] military?

A: We trained a lot, for about six months. We trained on Kalashnikov and RPGs; mostly old Russian weapons.

Q: And there was a time you decided you didn't want to do that anymore and you went to Italy?

A: I don't understand.

Q: I thought you said you finished your [redacted] service before it was supposed to end. Is that correct?

A: No, I was finished and detained in prison. I was then given my papers in January 1979. I left the prison in February 1984. It was about 5 years. In the law, it says two years. The rest of the time was all prison. I would be arrested, then released, then arrested again, then released so I got my papers and left. In 1986 I left and got married. In 1990, I went to Italy and haven't been back to [redacted] since.

Q: You said you had a wife and children. Are they in [redacted] or [redacted]?

A: [redacted] I have 4 kids.

Q: So when you were in Italy, you had permission to live there. In Germany did you have permission?

A: I didn't give them my true name in Germany. In Italy, I had given my real name, and they will not give you permission for both places at the same time. I went to visit Germany and liked it so I decided to stay. I stayed for a month until I met a German, and so I got married. I stayed with her and forgot about Italy.

Q: Going back to the house in Faisalabad; when they mentioned you were in a house with a senior al Qaida leader, was that [redacted] or someone else?

A: I didn't know his name, but after we were arrested, they showed us a picture and told us it was [redacted]

Q: Was that the person you knew as [redacted]?

A: Yes, he came in and said, "My name is [redacted]." We all knew him by that name until we were arrested.

At this time, the other Tribunal Member addressed the Detainee.

Q: Just a few questions. How long did you spend on your plan to leave Germany to go to Afghanistan to buy drugs to finance a club; how long did you think about that?

A: It was in my head a long time ago. I always heard about the product being cheaper there. I had a chance to go because of the Moroccan. When the chance came, then I planned.

Q: Just for the cheap drugs?

A: Yes.

Q: Would it make any difference to you who you had to work with to get those cheap drugs?

A: Yes. I brought a lot of information with me from Afghanistan.

Q: I don't think you understood the question. You took a free ticket to get to Afghanistan; you had help to get there.

A: The person that showed me the tape paid for the ticket.

Q: And the person that showed you the tape showed you military training camps?

A: He didn't tell me anything. After showing me the tape, he asked me if I wanted to go to Chechnya or Afghanistan. I will buy you a ticket to this country or the other.

Q: To do what?

A: To train; to become a mujahadin. The Chechen tape was difficult, and so I decided to go to Afghanistan.

Q: With your love of the military it seems strange you would want to go to Afghanistan to get training even though you could get drugs there. They just bought you a free ticket to get into the country.

A: Not because I couldn't get the tickets, I did this because I didn't know the way to get there.

Q: What did you do for a living when you were not in prison?

A: Which prison?

Q: What did you do for a living; what was your occupation? In Germany and Italy?

A: I was helping a cook, and I was selling vehicles. I was also a thief. In Italy and Germany we were thieves. We would steal things.

Q: How much cash did you have on you when you left Germany for Afghanistan?

A: I had 17,000 Marks. I took 11,000 for my girlfriend, and took 6,000 with me.

Q: And it was 700 Marks per kilo?

A: At the beginning, I didn't want to buy anything yet.

Q: You left Germany for Afghanistan with about 17,000 Deutschmarks?

A: In Germany, I had 17,000 marks. When I left, I took 6,000 Marks, and 11,000 with my girlfriend.

Q: When you were in Camp Nine, who was your friend? Did he travel with you?

A: When he saw the tape of Afghanistan, he just wanted to visit. He bought a ticket that was a two-way ticket to go and come back. I didn't even tell my friend I was going there for drugs. When I went to the market, I didn't take him with me, I went alone.

Q: So he bought his own ticket from Germany to Afghanistan?

A: The Moroccan bought it. He showed us a Pakistani visa and passport, and he was the one that showed us the way and bought us the tickets. The visa was for three months, or 90 days.

Q: So basically you worked with the Taliban to try to get drugs?

A: No, no. If the Taliban knew, they would kill me.

Q: I don't mean you told the Taliban what you were going to do. I meant you worked with the Taliban to get what you wanted.

A: Yes, because they don't tell anyone where to go, and you are not afraid to go wherever.

The other Tribunal Member then addressed the Detainee a second time.

Q: If you were to be released, where would you go and what would you do?

A: My goal is to go back to Germany and open a club and relax. I've told everyone that. I don't want to live in any Arab country. I want to live in Europe; I like Europe. We would meet in Germany or Italy. [redacted] interrogators came here two years ago. They interrogated me about when I went to Germany. They told me they didn't have a problem with me. They have my passport and everything. Germany or Italy is where I'd like to live. I would want to bring my kids from [redacted] That's what is in my thoughts.

The Tribunal President then asked if anyone else had questions for the Detainee.

Personal Representative: One short question; I remember when we talked during our session, you talked about your Muslim religion. Could you clarify to me if you consider yourself a strong and dedicated Muslim, or to what level do you consider yourself a Muslim?

Detainee: I just know my parents would pray and fast. They passed away. I don't have any problems.

Personal Representative: But you did not go to Afghanistan to answer a fatwa or to fight for any religious cause?

Detainee: No, I don't know, not a fatwa. My parents raised us not to cause problems and to be peaceful.

The Tribunal President thanked the Detainee for his testimony, and began explaining the rest of the Tribunal process. The Detainee interrupted and stated the following:

Detainee: I would also like to tell you that I do not have any problems with the United States of America, or any other country. From my side, in my heart, I don't have anything against (the U.S.).

The Tribunal President again thanked the Detainee for his testimony, then completed his explanation of the remainder of the Tribunal process, and adjourned the open session.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

[redacted]

Colonel, U.S. Marine Corps
Tribunal President

Summarized Detainee Statement

The Tribunal President called the open session of the Tribunal to order and went on to explain the Tribunal process to the Detainee. The Detainee had the following question:

Detainee: What is testifying?

Tribunal President: You may speak at this Tribunal.

The Tribunal President continued to explain the Tribunal instructions. The Tribunal President confirmed that the Detainee understood the process and asked if the Detainee had any questions concerning it.

Detainee: When will I swear?

Tribunal President: In just a moment, I'll give you instructions on when to swear.

The Tribunal President continued to conduct the Tribunal by instructing the Personal Representative to submit the Detainee Election form (Exhibit D-a).

Detainee: Is this the paper with my approval or with my consent?

Tribunal President: Yes. You consented to participate in the Tribunal. Is that correct?

Detainee: Yes.

The Tribunal President then instructed the Recorder to provide the Tribunal with the Unclassified Summary of the Evidence (Exhibit R-1).

Detainee: The one that was with the Personal Representative before?

Tribunal President: Yes.

Recorder: In addition, I am handing to the Tribunal the following Unclassified Exhibit marked as Exhibit R-2. Copies of this exhibit have previously been provided to the Personal Representative.

Detainee: It's the same one that's with the Personal Representative?

Tribunal President: Yes. We'll review it in just a second. Recorder, please summarize the nature of the unclassified evidence.

The Recorder read the Unclassified Summary of the Evidence (Exhibit R-1).

The Tribunal President confirmed that the Recorder had no further unclassified evidence or witnesses to present to the Tribunal. The Recorder then requested a closed Tribunal session to present classified evidence relevant to the detainee's status as an Enemy Combatant at a later time.

The Tribunal President opened the session to the detainee to make his statement.

Tribunal President: Do you want to present information to the Tribunal?

Detainee: Yes.

Tribunal President: Would you like to make your statement under oath?

Detainee: If you don't mind.

Tribunal President: No. We would like for you to do that. Recorder, please present the Muslim oath.

Detainee: Should I stand?

Tribunal President: No, it's not necessary.

The Recorded administered the Muslim oath to the Detainee.

Tribunal President: [redacted] how would you like to present your statement? Will the Personal Representative assist you?

Detainee: Yes.

Tribunal President: Will the Personal Representative be reviewing the allegations, and then [redacted] will make a statement based on allegations?

Personal Representative: Ma'am I will present each of the allocations on the Unclassified Summary, and I will provide to the Tribunal the information that [redacted] had provided. After, I have reviewed my notes I will give him the opportunity if he would like to add anything further.

Tribunal President: [redacted] I just need you to verify that the information that's being presented by the Personal Representative is what you want us to know. You are allowed to make statements after the Personal Representative has given us the response that's on the paper.

Tribunal President: Proceed.

Personal Representative: Yes ma'am. [redacted] and I met for our initial interview on 21 October. Our meeting lasted approximately one hour. He was very cooperative during the interview. When I presented the Summary of Unclassified Evidence, however, he was in disbelief as to the nature of the evidence. We went over each piece of evidence, one point at a time, and I took notes as to what he had provided me. I conducted a follow-up meeting with [redacted] just yesterday. We reviewed the notes that were taken during the first session and made any updates in preparation for today.

The Personal Representative begins going through the allegations on the Unclassified Summary one at a time, providing the Detainee's response to each one.

3.a. The Detainee is associated with Al Qaida.

3.a.1. Detainee's name and telephone number were on a list of Al Qaida members that was discovered on a computer hard drive seized during raids on Al Qaida safe houses in Pakistan.

Personal Representative on behalf of the Detainee: The name on that list was not my name, nor was the phone number. During one of these interrogations approximately one and half years ago, an interrogator showed me a list from the Al Qaida. He showed me a list of the names of people. The rest of the names were darkened out. When I looked at the name, I told the interrogator that is not my name. The name on the list was [redacted] That was the name I saw on list, but my name is [redacted] My phone number is [redacted] The telephone number on the list was not that number. The interrogator looked into this and came back to me and told me that Allah is with me, this is not your name. In the same meeting.

3.a.2. Detainee, at capture, had in his possession a Casio watch, model # F-91W, which has been used in bombings linked to Al Qaida.

Personal Representative on behalf of the Detainee: I am a bit surprised as to this piece of evidence. Millions and millions of people have these types of Casio watches. If that is a crime, why doesn't the United States arrest and sentence all the shops and people who own them. This is not a logical or reasonable piece of evidence, because I had a watch.

3.a.3. Detainee stated he offered to help the Taliban.

Personal Representative on behalf of the Detainee: I did offer to help the Taliban. Like many [redacted] did, to a legitimate government. Like many, I went for humanitarian (sic) and purposes of goodwill. Once I went to Afghanistan, I had later changed my mind about wanting to be back in [redacted] I did not go to fight. I did not go to kill. I went solely for goodwill reasons. My departure from [redacted] was before any problems happened with America. If had known, I would not have left.

3.b.1. Detainee stated that he traveled to Afghanistan to fight the Jihad and fought with the Taliban in Kabul from June to December 2001.

Personal Representative on behalf of the Detainee: I did, in fact, state that I went to Afghanistan to support the Taliban, not to fight with them. It says that I was in Kabul from June through December 2001. However, I was Afghanistan a maximum of four months. Not more than four months. I was in Kabul for less than two weeks. You can verify this through the [redacted] government, or any of the paperwork that's required to travel.

Detainee: During our first meeting (with the Personal Representative), we did not discuss the period of June through December 2001. During the second meeting, in the review, it became clear through the translation, the translated document of the Unclassified Summary, which I believe states that I was in Kabul between, sometime between, June and December 2001. The point I want to get across is that during the first meeting, I did not have the opportunity to dispute this piece of evidence on the dates because the translation said I was there *between* June and December. The evidence being presented to this Tribunal says that I was there *from* June to December 2001. I did not even leave for Afghanistan until the sixth month.

Personal Representative: Sixth month? Sixth month of Ramadan?

Detainee: No. Sixth month of the Islamic calendar, which is three months before Ramadan.

Personal Representative: Do you need more clarification on that, ma'am?

Tribunal President: No.

Personal Representative on behalf of the Detainee: Two or three points to walk away with this piece of evidence is one, yes, I did go to Afghanistan; point two is no, I did not go to fight with the Jihad and no, I was not there for the seven month period between June and December 2001. My entire time in Afghanistan was not more than a four-month period. I went with good intentions and then realized things bad were happening and I wanted to get out.

3.b.2. Detainee was captured on the Pakistan border, by border guards, and processed into United States custody in Kandahar.

Personal Representative on behalf of the Detainee: Yes, that is true. I went to Pakistan because I wanted to get back to my country. Because I had no passport, I was trying to get to the [redacted] Embassy. I never made it to the embassy and I am here.

Personal Representative: Did I capture the content of our meeting?

Detainee: Yes.

Personal Representative: Regarding the evidence, is there anything you would like to add or change?

Detainee: No.

Personal Representative: Then that concludes the presentation of the evidence as reflected in our meetings.

Tribunal President: [redacted] you may present more information if you like.

Detainee: Just that my departure was before the problems, not after the problems.

Tribunal President: Very well. Personal Representative, do you have any questions for the Detainee?

Personal Representative: Ma'am, I just have one question. You stated to me that you wanted to go to the Jihad. Can you explain what Jihad is?

Detainee: The term Jihad encompasses many things. One of these things is fighting. Another thing is helping people. This includes all kinds of help, for example, getting water or giving them food or any kind of humanitarian work.

Personal Representative: That is all, ma'am.

Tribunal President: Recorder do you have any questions for the Detainee?

Recorder: No ma'am.

Tribunal President: Do any Tribunal Members have any questions for the Detainee?

Tribunal Members' Questions

Q. [redacted] how did you get from [redacted] to Afghanistan?

A. From [redacted] to Pakistan and then to Afghanistan.

Q. Did you get a visa for Pakistan?

A. No. I forgot a point. I'm sorry. From [redacted] to Dubai, and then United Arab Emirates to Pakistan to Afghanistan.

Q. And you had your passport with you when you traveled?

A. Yes.

Q. You said that you lost or did not have your passport when you were going into Pakistan. What happened to it?

A. As soon as I entered Afghanistan, in one of the places a person said to me, "Keep this here so that nothing happens to it. So it doesn't get lost or anything. If you wish, you can come back and get it."

Q. Do you remember who that person was?

A. Yes.

Q. Who?

A. [redacted]

Q. Who was [redacted]? Why did you give this person your passport?

A. They're the ones that escorted me from Pakistan to Afghanistan. They took me to a house in Kandahar. He said this place would be a safe place for the passport. Because problems might come up, it might get lost or stolen and then you would not be able to return. So I left it with him.

Q. Who else was in the house where you left your passport?

A. There were a few Afghani people, that's it.

Q. Did anyone have any weapons?

A. No.

Q. When you left [redacted] for goodwill, were you traveling with an organization, or were just out by yourself?

A. By myself.

Q. How did you pay for your trip?

A. I was a worker in [redacted]

Q. While you were in [redacted] did you ever have any military or police training?

A. Yes.

Q. What type?

A. Military.

Translator: I'm sorry, can I just clarify that, because yesterday a person who said "military" meant "police"? [Translator determines that it was not military training, but police training.]

Q. When you were arrested trying to get to the [redacted] Embassy, were you by yourself or were there other people with you?

A. With other people.

Q. Do you know who they were? If you do, who were they?

A. When we got to the borders, there were Pakistani individuals. At the borders, there was a big group, and they all got arrested with me.

Q. Did you know anybody from the group?

A. Now or before?

Q. Before.

A. Those who were with me were the Pakistanis.

Q. You said that your trip from [redacted] to Afghanistan was only four months and you were arrested in December. So did you go there in September? Does that sound correct?

A. I don't know the English months.

Q. Okay.

A. If you speak in Arabic months then I would know.

Q. I don't know the Arabic months. That's okay. You said that you traveled to Afghanistan before the problems. What problems are you talking about?

A. What happened to America.

Q. Okay. When you were in Afghanistan, did you ever see any of the bombing or fighting?

A. Fighting no.

A. You knew of if. Was I sure, no.

Q. You said that persons brought you to the house in Kandahar from Pakistan. Who were those people that brought you to the house in Kandahar?

A. After I arrived at the airport in Quetta they took me. Two of them, they looked Afghan. To the house.

Q. How did they know to pick up at the airport?

A. After I arrived in Pakistan. I got to one of the hotels, someone from the outside, an Arab, came to me, he said are you going out to the airport in Quetta? He said as soon as you get there two people will come and get you, they will know you. I don't know how they could have known me. Maybe by me clothes, maybe the man gave them a description. So they came and they got me.

Q. How did this man know to arrange these people? Did you ask them, or had someone helped arrange your travel into Afghanistan?

A. No, he did not arrange my trip. Before, a person in [redacted] had given me a number that was in Pakistan. So I called him and then what happened, happened.

Q. When you were in Afghanistan did you receive any type of military training at all.

A. No. I did have a weapon. When I got to Kabul someone gave me a weapon. I had a weapon for about four or five days.

Q. Why did they give you a weapon in Kabul.

A. He said to me here, maybe you'll need this for protection. I didn't know if I was going to need it or not need it, he gave it to me and then after I was done he took it back from and said you don't need protection.

Q. What were you doing at the time that you needed to carry the weapon for?

A. I didn't understand what their process was when you got into Afghanistan. So he gave me the weapon and I just carried it.

Q. Was it an AK47?

A. Yes. I said I know this one because I trained on it in [redacted] The time period, it was impossible for me to use it. It was only about four or five days.

Q. Was this at a house in Kabul, where the person gave you the weapon?

Q. Was this at a house in Kabul, where the person gave you the weapon?

A. Yes. It's considered a house in Kabul.

Q. Were other people staying at the house, too?

A. Yes.

Q. Did they carry weapons, as well?

A. Some people had and some people did not have them.

Q. Were any of those people fighters that were coming back from the front around Kabul?

A. The people were Pakistanis. It was hard to communicate with them, except for those who knew Arabic. I wasn't able to speak with every one of them.

Q. Was this near the time when you first arrived in Afghanistan, or was this when you were getting ready to leave Afghanistan to go back to [redacted] when you had a weapon?

A. After I arrived in Afghanistan, in the beginning.

Q. How did you get out of Afghanistan to Pakistan? What route did you take?

A. I don't know the routes in Afghanistan because I was new. But I told them – one of the people in the group that I was with, the person who was responsible, a Pakistani – that I wished to go to Pakistan to go back to [redacted] Before that, I wanted to go back to Kandahar for my passport, and he said it's not possible. So he said, okay, we'll all go to Pakistan. So we went to Pakistan.

Q. Through Jalalabad and then through the mountains?

A. Yes.

Q. The Tora Bora Mountains?

A. I found out from the interrogators that they're called the Tora Bora Mountains. They might have been different mountains, I don't know. I was with the Pakistanis and they were guiding me.

Q. Did you see any fighting at all, or any bombing up in the Tora Bora Mountains when you were going through them?

A. No. I can't tell you. You might be talking about mountains that I wasn't in, so I do not know.

Q. But in the mountains that you were in, did you see any fighting or any bombing?

A. The bombing, obviously in Jalalabad, we saw it, but it was very far away. In the mountains, I did not see it.

Q. The people that you were captured with or that you were crossing with. Were any of those people fighters?

A. They were with me in the same house. I did not know them from before in Kabul. I don't know if they were fighters or not.

Q. Were they carrying weapons? At any time along the trip, did they have weapons?

A. Yes, I think so.

Tribunal President's Questions

Q. You said that you went to Afghanistan to provide humanitarian aid. What type of aid did you provide and to whom?

A. Truthfully, my time in Kandahar, I was not able to provide anything.

Q. What did you do while you were in Kandahar?

A. I sat there. I told them that I wanted to help the Taliban, and he said stay here for a certain time. After I stayed for a few days, he told me "then you can go."

Q. So it was someone at the house that told you to wait at the house?

A. Yes, I said that before.

Q. They told you that you could help with the Taliban?

A. Yes, because I said I would like to help the Taliban, and he said okay.

Q. What kind of help did you give the Taliban?

A. I did not help. I went to Kabul to help. After I got to Kabul, I was not able to help them because the person there said wait, be patient, and then you can help.

Q. So what did you do the whole time you were in Afghanistan?

A. In Kandahar, I was there for a short while. In Kabul, my time was about two weeks, so I stayed in the house. Based on the fact that I was going to help them, I was waiting for him to tell me what I was supposed to do. But the people were Pakistanis and it was hard for me to deal with them. After a short while, I saw that I had not done anything and it changed my mind. I got scared and I said I would like to go to Pakistan..

Q. You said that while you were in [redacted] you met someone who told you to go to Afghanistan.

A. Yes.

Q. Who was that person that told you to go to Afghanistan?

A. A friend of mine. My cousin. One of the first reasons for me going to Afghanistan was to bring back my cousin to [redacted] to his family.

Q. Was your cousin in Afghanistan?

A. Yes, he had gone to Afghanistan.

Q. So there were actually two reasons that you went? You went for the Jihad and to bring back your cousin?

A. The first reason was to bring back my cousin. I did not mention this because you were talking about the accusations and there was no need to deviate from those points.

Q. What was the name of your friend and your other cousin in [redacted]?

A. It's in my interrogation.

Q. Can you tell me now? I don't have the interrogation papers.

A. My friend was [redacted] My cousin's name was [redacted]

Q. [redacted] – is that his first name or only name?

A. Yes, his name is [redacted] Yes, he has his father's name and his tribe name, obviously, but that's his name.

The Tribunal President asked if the Detainee had any further evidence to present to the Tribunal.

Detainee: I'm just a little shocked because they told me I would be an enemy combatant to America. I don't have anything to do with these accusations. That I'm involved against the United States of America – I'm very surprised at this.

Tribunal President: Why do you think you are here?

Detainee: Of course I know why I'm here.

Tribunal President: Why?

Detainee: Three years I've been here, and all the interrogations. I know why I'm here.

Tribunal President: You're saying you don't know why or you do know why?

Detainee: I know.

Tribunal President: Why?

Detainee: Because, as far as I know, Al Qaida did things against America.

Tribunal President: Are you Al Qaida?

Detainee: No. Impossible. Also, these are the words of the interrogators, not my words.

The Tribunal President asked if the Personal Representative had any further questions.

Personal Representative: Just one, ma'am, based upon some of the questions that were presented. You went to Afghanistan for what you believed were good reasons. You wanted to help the Taliban for good reasons. Do you believe that the Taliban wanted to recruit you to be one of their fighters? You said no, which is why you might have wanted leave Afghanistan?

Detainee: No. They didn't give anything to do in the first place.

Personal Representative: Right. Okay.

Detainee: Then I changed my mind. I just wanted to return to [redacted]

Personal Representative: That is all.

The Tribunal President confirmed that the Personal Representative had no further evidence and that the Detainee had no previously approved witnesses to present to the Tribunal.

The Tribunal President confirmed the Tribunal Members had no additional questions for the Detainee and closed the open session of the Tribunal.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

[redacted]

Colonel, U.S. Army
Tribunal President

Summarized Unsworn Detainee Statement (but see page 2 where the Detainee agrees to take his own oath and makes a sworn statement):

The Tribunal President read the hearing instructions to the Detainee. The Detainee confirmed that he understood the process and had no questions.

The Recorder presented Exhibits R-1 and R-2 into evidence and gave a brief description of the contents of the Unclassified Summary of Evidence (Exhibit R-1).

The Recorder confirmed that he had no further unclassified evidence or witnesses and requested a closed Tribunal session to present classified evidence.

The Tribunal President stated that the Detainee wants to participate and has requested two witnesses, one witness from Pakistan and one witness from Yemen. The Tribunal President ruled that these two witnesses are relevant to this tribunal hearing. The witness request was sent to the United States Department of State on 22 November 2004 with a request to contact both governments for assistance. As of this date, 7 December 2004, the Department of State has received an acknowledgment response for the request from both embassies, but they appear not to be supportive of the request. The witnesses have therefore been deemed not reasonably available.

Tribunal President: [redacted] you may now present any evidence or information you have to this tribunal, and you have the assistance of your Personal Representative in doing so. Do you still wish to present information to this tribunal?

Detainee: Do I talk now?

Tribunal President: Yes, and would you like to make your statement under oath?

Detainee: Yes. That means do I give an oath? As you see fit; I have no problem with taking that oath.

Tribunal President: We have a Muslim oath prepared if you would like to take the oath.

Detainee: No problem.

Tribunal President: Very well, thank you. Recorder, please administer the Muslim oath to the Detainee.

At this point, the Recorder begins to administer the oath, but was interrupted by the Detainee.

Detainee: You are not Muslims. I want to do an oath without him talking. He is not a Muslim.

Tribunal President: Very well. Would you like to take an oath in your own words? You may do so at this time.

Detainee: I swear to tell the truth. I swear to tell the truth.

Tribunal President: Very well, thank you.

Summarized Sworn Detainee Statement

The Personal Representative read the accusations to the Detainee so that he could respond to the allegations. The Detainee has a question before starting his statements. The allegations appear in italics, below.

Detainee: Do I have to respond to each point, including the title, saying that the Detainee is associated with the Taliban or al Qaida?

Tribunal President: You can respond to any of the items on the unclassified summary as you choose to.

Personal Representative: (To interpreter) Please relate to him that I recommend that we go one at a time, because that's how we could get his story out about each one of these accusations.

Detainee: That's good.

3.a. The Detainee is associated with the Taliban and al Qaida.

3.a.1. The Detainee traveled to Yemen for (from) Pakistan in September 2001.

(The personal representative clarifies that the 3.a.1. should read "from" instead of "for".)

Detainee: My response, first of all, was that I was captured inside Pakistan. Second of all, I don't belong to nor am I associated with any group. I never had any association with any organization even before. I'm just a student that went there to collect and gather information to help me with my studies. I didn't have any intention; I had only personal intentions of doing the things related to my studies. I didn't have any intentions to help or to do anything with any organization. Or, not even having anything to do with Jama'at al-Tablighi, which is like propaganda, or try to give the Islamic word out there. I didn't even have that intention. I just went for personal reasons to gain knowledge and come back. I never heard of this Taliban or al Qaida before. It's the first time I ever heard of these two names in all of this, is when I got here, to Guantanamo Bay, Cuba. I didn't know what these names were, I didn't hear about them, and I didn't have intel, or anything about them, until I got here, at the Guantanamo camp. Up to now, I really still don't know what these people's goals are. What they are, and what is the definition of these people, and what are they trying to do (referring to al Qaida and Taliban). From what I know, all the interrogators, and as I mentioned with my meeting with the P.R., that these people, the Americans, are just trying to tie some people to the incident of 9/11, and to have someone pay for that. They are trying to find the connection and to put me in that connection, the connection to these people. I heard earlier that you really wanted to get to the truth and to be just. I love that and I appreciate that. What you are doing is a good job, very good. But, I only hope that there will be no injustice in this world. Because, you know, that injustice will come back to you anyway. Because I have no means, or no ways of defending myself; I have no lawyer. I don't have any way to get witnesses to prove that I am really innocent of all this. I was hoping that all the time that I have been here, that they would look, look at my file, and search the information for them to prove, and to read and get to a reasonable conclusion to clear me from all this.

This is my entire story about me traveling from Yemen to Pakistan. I traveled by official means. I traveled through a Tabligh organization; I didn't hear or didn't know that this organization favored or was encouraging the Jihad or doing Jihad activities. This organization existed in the United States and even in Tel Aviv. And if I had known that this organization was a terrorist organization, I would never be associated with them. Because I didn't have enough money, I chose Pakistan. That's why I chose to go there and study medicine. I saved up some money and I was told that some organization would help me, and they helped me immediately. They gave me all the information, and they said yes, Pakistan has a good medical program; it's not that hard, it's a good program and it's not that expensive. That's why I went there to find out for myself to see if I would be able to study medicine there or not. So if my plan was successful then, and if I found out that it's really good for me and they can do it, I would stay, and if not then I would go back.

I wrote many letters to my family, but I didn't get any response or any help from them or the military. I didn't get any letters back. I wanted to ask my family to gather information and to help me prove that I finished high school, and that I was fine, to prove that all this is not funded, not based on any reasonable proof. That's what I was trying to get my family to give me.

I was not even twenty at that time. They (apparently Jama'at al Tablighi) wanted to do something humanitarian and I wanted to go and do my duty, study with civilians and help people. Look, I'm not involved in this big problem and all this mess, and I have nothing to do with them. That is really all my story, really, and I wasn't given the chance to prepare my defense, or help myself, gather witnesses or to see if this is not correct or not true. If you check the Pakistani government and the Yemeni government, they know everything about me. All I wanted was just for you to look deeply into my case and to take into consideration all these things. I would like the Americans not to be unjust or judge me at all, really, because that will reflect badly on the Americans. They preach justice and they don't want to be unjust against anybody or to do wrong to anybody and that's what they swore to do. You and I hope that you will be just.

Tribunal President: I can assure you of that, and you witnessed that we took an oath and we are bound to be fair and offer justice. We are here to determine whether you have been properly classified as an enemy combatant. We have come here with an open mind. We have seen nothing about you until today, with these two pieces of paper. We have determined your witness request to be relevant and asked for responses from the two governments that you requested. For whatever reason, those two governments have chosen not to respond. We will not hold that against you. We will still look at all the evidence, all the files, and all the information and with an open mind and with a fair and just purpose make a determination whether you have been properly classified as an enemy combatant.

Detainee: I have reason to tell you why I chose the [redacted] government. When Pakistan captured us, I made a mistake, I did something wrong in Pakistan. I was really surprised to see these allegations from people who are not Pakistani. After that, Pakistani and American Intelligence interrogated me. The Pakistani government put a condition that if there is no proof against me, and I didn't do anything, that they would leave me with the Pakistani government and the Pakistani government will deliver me to my country, [redacted] The interrogation station was in front of me and it was the army translator and the interrogator from the Pakistani intelligence said yes, all of what this man said is correct and all he said about his story in Pakistan is correct and therefore that is why we are going to give him back his passport that we took. I would not stay long in Pakistan; I planned on going back to [redacted]. I was really surprised that the American intelligence refused all of those proofs and they said no. We still need him, they said, and then they took me. That's why for these reasons I chose the Pakistani government as a witness because they have all this information and they know everything. I also chose the [redacted] government because I'm sure my government will confirm what the Pakistanis are saying. That's why I am very confident that will be the case. I have great confidence that you will find out too, that what I'm really saying is true and that I really don't have anything to do with all these things that are being said about me. That's why when you make your conclusion, your decision, you'll be confident and you will have no doubt about it, you'll be comfortable with it.

Tribunal President: I'm sure we will have no doubt about it, because we will make sure that there's a preponderance of evidence that will guide us in our decision.

Personal Representative: Now, I need to mention some things that we talked about in the interview. And I'll say that, and he can talk about it.

Detainee: OK, if you want to make comments about each point, that's fine. But, really, I'm not going to respond or say anything, because this is all that I have to say. This is my story. But, you can go ahead and read every point.

Personal Representative: OK. Tell him I will because when we first met I told him that as his P.R., everything that we discuss might be compelled to say at his tribunal. Does he remember me telling him that?

Detainee: Yes.

Personal Representative: So, I will mention that if he feels compelled to say something he should; if he doesn't want to, then he doesn't have to.

Detainee: Yes, I would like you to read the points, and I will just confirm it or deny it. And we will go from there.

Personal Representative: (Reading from notes taken from previous interview) Good. When we met, we discussed, regarding number one, that yes, what he did was travel from [redacted] to Pakistan, he had a passport, a plane ticket, money, all legally traveled. He went to study medicine at the University. However, he did not get a chance, or an opportunity to register to attend the classes when he got there. He was there about three to four months then he was arrested. He got there and met the Jama'at al-Tablighi, and was using them as a way to start to study medicine. They asked him to study the Koran.

Detainee: Yes, that's true.

Personal Representative: That's all the notes I took for number one.

Detainee: Yes.

3.a.2. The Detainee was sent by the Jama'at al-Tablighi to travel.

Personal Representative: (Reading from notes taken from previous interview) During our discussion, he said that he paid for himself to get to Afghanistan, and he was accepted from them to travel to Pakistan to attend a school. I'm saying he paid for himself to get there, and that he was accepted to attend the school. It was his intention to go there and study medicine.

3.a.3. The Detainee obtained his travel visa through Jama'at al-Tablighi.

Personal Representative: (Reading from notes taken from previous interview) Yes, that's true. Everyone knows they have no relationship with the Taliban or al Qaida, after September 11 the Americans started to say they were associated with the Taliban and the al Qaida.

Detainee: These are my words to you?

Personal Representative: This is from my notes of what you said.

3.a.4. The Detainee was met by a member of Jama'at al-Tablighi in Pakistan.

Personal Representative: This is true.

3.a.5. Jama'at al-Tablighi, a Pakistan based Islamic missionary organization is being used as a cover to mask travel and activities of terrorists including members of al Qaida.

Personal Representative: (Reading from notes taken from previous interview) He said that he never had any idea that this was used as a cover. He never knew that it was ever associated with al Qaida.

Detainee: If I've known that they were a terrorist organization I would have never gone to them.

3.a.6. The Detainee was sent a personal greeting from the Taliban Deputy Minister of Intelligence.

Personal Representative: (Reading from notes taken from previous interview) Per our conversation, he said that he never received a greeting; he does not know the meaning of the Taliban, he said, I never ever was in Afghanistan.

Detainee: May I talk here?

Personal Representative: Of course.

Detainee: When we talked about this specific point last time, and I said that I did not know the Taliban or have association with them. He said yes but again they are trying to find any connection or any relation between you and Taliban or al Qaida. Somehow they are trying hard to find any connection. I was wondering if the Americans are going to force the issue, force me in connection with these people, even if it wasn't true? And he told me no, no, and so I said, I came to Pakistan; I have no relation with these people. I lived a winter in Pakistan so what's the relation? I don't know, it looks like they want to put these accusations on me, and somehow, they want me to give out a witness (inaudible) This guy, this minister of intelligence, he's a hotshot, a big guy so, I'm just a simple man, what do I have to do with him? I'm sure it was just a mistake that it was somebody else that was mentioned there, and thought that it was me. It could be the name of another person. They know these things and somehow they still have to connect me one way or another. I would like you to read it more, seriously and deeply to this point.

Personal Representative: Also, if I may, I think I told him that later on in a closed session that I may have some information to present to what he may be talking about.

3.a.7. A senior al Qaida lieutenant recognized the Detainee in a photograph.

Personal Representative: (Reading from notes taken from previous interview) His response I don't know al Qaida, I don't know the meaning. He doesn't know the meaning of al Qaida.

Detainee: I'm sure that he is mistaken by looking at this picture. I'm sure he's looking at this picture, and looked at that picture. It might be of another man, and he said it's me. Because sometimes when you look at the pictures, you think that you are sure that this is the right person. But you need to see the person physically and you realize that is not.

That's why I'd like to meet this person and see if he can see, and show him that it's not me. That's all.

3.a.8. The senior al Qaida lieutenant ran an al Qaida safe house where a number of al Qaida members were captured.

Personal Representative: (Reading from notes taken from previous interview) His response was that the person who was running the house where he stayed at was a part of the University. The name of the person who that ran it was [redacted] a Pakistan who was from the University.

Detainee: That's true.

Personal Representative: (Continues from notes) I never thought or believed in or do not believe that [redacted] who ran the house, was al Qaida. He would come and go and run the house.

Detainee: That is correct.

3.a.9. The Detainee was captured in this safe house.

Personal Representative: (Reading from notes taken from previous interview) This was the house he was captured in. I had no idea why the Pakistani government raided us. The Pakistani told him that, I think this is what he was alluding to earlier, that this was not a safe house.

Detainee: And also, I wanted to add that for me being with the people that were in that house, me talking to them, and being with them, I never noticed anything that had to do with terrorism or Jihad or anything. I never noticed anything that would indicate that they were in these things. If I have noticed any slightest thing, I would not say anything. I was just staying there, listening to lessons, learning that information, doing our duties, our religious practices, eating and just waiting for the results, or response from the University to see if we were going to be accepted and be able to stay there and study or not. That's all we were doing. I didn't have any information and I didn't have any knowledge or any indication that this house belongs to, or was a safe house or anything. From what I knew, this house belongs to Jama'at al-Tablighi and this has nothing to do with anything else. I used to ask [redacted], the guy who was in charge of managing the house when am I going to leave, when am I going to get a response…? He said just wait, just wait, be patient, you'll get a response.

3.a.10. The Detainee stated that he is a terrorist.

Personal Representative: (Reading from notes taken from previous interview) His response to me was I must've been misunderstood. Some stuff I did not understand.

Detainee: I admit that I don't understand everything. And I'm just a simple person and maybe during these interrogations I might have understood in my way but I started saying yes, to how I understood it, but it was the wrong word. That's why I may have said something I didn't understand too. That's all.

Personal Representative: Do you have anything else to add?

Detainee: No, I'm fine. No, I don't have anything else.

Tribunal President: Personal Representative, do you have any questions for the Detainee?

Personal Representative: Thank you, Sir. Yes, I do have a couple. It was about a three or four month timeframe that you were waiting to get into the University; what did you do (during that time)?

Detainee: I was just trying to memorize the Koran.

Personal Representative. Okay, my second question. Did you ever participate in any terrorist activity?

Detainee: I don't know what this is. What is the meaning the meaning of terrorist? I don't even know what that term is.

The Personal Representative and the Recorder had no further questions.

Tribunal Members' questions

Q. Good morning. We are pleased that you took the time to explain your situation to us today. As the president mentioned, we haven't seen your file prior to coming to the tribunal. However, there are some things that you said that make us familiar with your story because some of your [redacted] brothers in the house have come before us in the tribunal. When you left Yemen to go to Pakistan, was it your understanding that you had already been accepted at this school for medicine?
A. No, I didn't know. I went there to find out, I just had the information about this University.

Q. But, they have a medical school there?
A. Yes.

Q. You mentioned the [redacted] (ph); was this the University that you were trying to attend?
A. No, I didn't have the knowledge. The Pakistani (inaudible) introduced me to this. Before I traveled, and one of the guys who interviewed me told me that there are so many Universities in Pakistan that would interest you in medicine. But on one condition, you have to memorize the Koran; you have to learn the Koran. This happened in [redacted]

And then I left to go to Pakistan. I found one interviewer, his name was [redacted](ph), who showed me a University that will teach you how to memorize the Koran. I had this information in [redacted]. I had to memorize the Koran. I went to this group; at the university and they didn't know if they would accept me. I might just go, to go and memorize the Koran. My decision of choosing this University is just because it was a requirement for me to go to medical school. That's what the education person said, that's why. And according to the information I had in Yemen, that is one of the condition to get accepted to medical school, you have to know the Koran. That's the only thing, that's why it was a condition, I wanted to get that condition out of the way. That was the reason why I traveled to interview.

Q. But, you could've memorized the Koran in [redacted], without having to go all the way to Pakistan. Yet you wanted to go to Pakistan to do that?
A. There is no doubt about that. That is true. Yes, but there will be a big difference in me learning the Koran in [redacted] or me learning it there, following their requirements, their conditions they put for us to get there. And I wanted to make sure myself, does this condition really exist, that you have to memorize the Koran, and I was really in doubt that this condition was really there. You have to memorize the Koran, to get into the medical school. This information was given to me by Jama'at al-Tablighi, so I was really hesitant. I had my doubts, as every medical school that you have to memorize the Koran, to be able to get into that medical school in Pakistan. That's all about that.

Q. Sounds like more of a school for religious studies than for medical school.
A. Yes, of course, there was no medical school in that University.

Q. So the Tablighi people helped you get to Pakistan and to the house where you stayed and then for three or four months you just studied the Koran the whole time?
A. Yes, this is just from the knowledge, information site, but all the expenses, I paid them. Any financial expenses, I paid them.

Q. Did you have enough money to support yourself or did you have to go out and work to earn money there?
A. I was always working since I was very young. I was going to school and working. I really had enough money to support myself for a long time. To prove that I had money, when I was captured I had some dollars with me. It was over two thousand dollars, and you have it now, with you, its here, with my passport and tickets.

Q. If everything had gone according to your plan, how would it have worked?
A. The purpose was to visit Pakistan and to gather all the information needed and see how things are going to go, and then to go back to [redacted], get all my diplomas, my credits, everything that I would need, and go back and go straight to school. I would bring all the documents necessary from the government and all that, to go to the university, that was the plan.

Q. How long were you initially planning to stay in Pakistan?
A. I really didn't know how long. I was expecting it to be a month or two.

Q. But it just kept lasting longer and longer?
A. Yes, these people were starting to make problems and they were delaying things. My passport was with them, everything was with them and they just delayed it, and there were lots of delays. I don't know the country. If I had problems I would argue with them, but if I go out, I might get lost. They had all my papers and everything that's why. They kept delaying things.

Q. Why do you think there were so many delays?
A. I asked them many times, they said oh no, wait, just wait, you know how the Pakistanis, how they are. Even their Army wasn't that good, so sometimes I leave, because I can't understand their response, so they said, wait just wait.

Q. It would seem that if they brought you all the way over there, that they would try to help you get what you wanted?
A. That was their intention, yes I had confidence in them but that's how they were behaving to me. And I wasn't comfortable at all. I was not happy with them, because, my passport had expired, my plane ticket I bought, problems with my Visa, the plane ticket, all that, I wasn't happy with it. I was very definite that the Visa was going to expire and the plane ticket also, so I wasn't happy. This is all I paid for it financially.

Q. Could you please explain the circumstances of how you were captured?
A. What conditions? You know everything, so what do you mean?

Q. I assume you were arrested in the house? Or was it from somewhere else?
A. I was in the house, I have all my documents, my passport, my plane ticket, my visa, I was legal, and everything was official. I kept my papers with the manager of that house, Issa, and he used to come on and off. During this waiting period, the Pakistani police came and they invaded the house. When they personally captured me, I didn't have any problems with them, I was calm. I gave them whatever they needed; I didn't cause them any problems. I thought they were just going to get some information from us, from me, which is their right, which was fine. The Pakistanis took me. They took us to the interrogation place, and from there, the sad story and moving started.

Q. How long have you been here at the camp?
A. I don't know the date exactly, but I think it's about two to two and a half years. In Yemen, if you have problems in country, they capture you, they investigate and interrogate you, you go to the court and see the judge, and when its done, its usually within weeks, a month at the most. But, with Americans, look, it has been three years.

Q. The concern, of course, is some of the points on the summary, which you had addressed earlier, particularly the ones concerning the greeting you supposedly received from the Taliban minister and the al Qaida officer recognizing you.
A. He says that also these two points are still a mystery for me. I mean, it doesn't make sense, you can ask a child, if you ask him, please, look into this, this hotshot, this

minister, who ever said this, or whoever, it doesn't make sense. I hope you would look at it deeply and with a strong mind.

Q. Because, that is the two bases for our concern, you say you didn't know who they were, but for some reason they seem to know who you are.
A. How did this happen? Can you bring them in front of this tribunal? Or in front of this... your law says that you can. You didn't bring them, and I even asked you, but you didn't. We are following the rules and laws. How come these laws do not apply?

Tribunal Member: Certainly if we had the ability to bring the people whom you had requested we would have done so.

Detainee: I heard in the beginning that you couldn't bring these people because of things I did.

Tribunal President: That was previously explained, and also we said, and I will say it again, that we do not hold it against you because the people did not respond to the request.

Detainee: You are referring to the Pakistan and [redacted] Government, no, that's not what I was talking about. I'm talking about the videos. I heard in the beginning that you said, you said you could not bring these people, the people that saw me, and the people that saw me and said such things about me.

Tribunal President: Well, naturally, because as was explained also earlier, some of that information has national security implications for the United States and cannot be released.

Detainee: Okay.

Tribunal President: But, in any case, we accept your testimony today, in whatever form you choose to give it.

Detainee: Me, too, I listen to whatever you say, how you present it, and give it its importance to this tribunal.

Tribunal President: Thank you again.

Q. When you left [redacted] for Pakistan, did you have a roundtrip ticket?
A. I really don't remember. But I know I have my ticket and it's written there, you will see. I mean, if you look at my ticket, you will see if it was a round trip ticket or not. But, I am sure it was a roundtrip ticket, but of course, it would have to be a round trip ticket.

Q. The papers that you talked about during our questions, you mentioned a passport, tickets, visa, etc., ...have you seen them since you have been here in Cuba?

A. Yes, they gave them to me one time, in the interrogation. I think they were pictures of the documents, not the original documents. But, they told me that everything is here.

Q. You had mentioned that the Tablighi organization took your passport and tickets for a while, evidently they gave them back to you, but they just took them for a little while?
A. They use to take them, bring them back, take them again, and bring them back. Yes, when they say we are going to transfer you from here to there, we are going to take you from this place to that place, they use to take the papers. I don't know what they did with them.

Q. Were you transferred to many different places?
A. I really didn't go to many, many places but I used to go to the University, then to Jama'at al-Tablighi, to the house and such.

Q. From the University, to Jama'at al- Tablighi to the house, what were you doing when you went to Jama'at al-Tablighi?
A. As I mentioned, I came to them, but, when we used to go, we would go to the mosque.

Q. You said earlier, you're just a simple, common man, but you're going to study medicine. You seem to be very intelligent; did you have any type of medical training before you went to Pakistan?
A. I'm not really that smart, but yes, if I had information, when I was in high school and when I was in [redacted], I would gather information and see how to study medicine, and use to go to the medical school there to see and gather information. Yes, I did have some training.

Q. You mentioned all through school you were working, what kind of jobs did you have? Part time, full time, what were those jobs?
A. I actually use to do only one job. Really, I use to sell grocery products. That's what I used to sell. I used to do that since I was ten or twelve years old, all the time. This is something that is a custom from our tribe that you have to take charge, and take responsibility when you are young.

Q. When you were doing your investigation for medical schools, was it only around Pakistan, that area of the world, or did you look at other areas of the world that may offer medical studies for a reasonable price?
A. Yes, I did look at other countries besides Pakistan. Yes, I would like to study medicine in other countries besides Pakistan. For example, Syria and Jordan. Medical studies are easy there, and it's in Arabic. And even in Syria, the expense is not too high; it's a lot cheaper.

Q. When you were in the house, when you were arrested, how many people were with you that got arrested also?
A. I believe it was like thirteen, fourteen. Anyways, I knew it was more than ten.

Q. They were the people you were living with?
A. Yes.

Q. Did you know them well enough to know what they were doing, I mean, were they just studying the Koran or did they maybe want to get into a medical school or something else, maybe start a business…what were they doing?
A. I found out these people were just simple and religious people who are into religion and they often didn't wear beards and I was avoiding those guys. I really didn't have any deep personal relations with these people. All that it was, is that I went to lessons, I used to sit and listen to lessons, or classes given, I just didn't go there to be personal and ask, and wonder what you are doing and all that.

Q. Do you consider yourself to be a very religious person or moderately religious?
A. Normal guy, I would say moderate, I'm not extreme. I don't have deep knowledge on the Sharia religion.

Q. To your knowledge, were any of the other people in your house extremely religious or were there because of a fatwa to come and study something more than religion, maybe, some type of military training.
A. I didn't notice anybody. Nobody talks to me about being there for Jihad, or they are going to the Jihad. As I told you before, they were just simple people, I didn't know any of them, and I didn't know what they were doing.

Q. One last question. You have been very cooperative and I appreciate that. I also noticed that you have a certain color of uniform, the orange uniform, and I noticed there are people who have tan, or beige, or white uniforms. Is there any reason that you are still in an orange uniform?
A. I really don't know. I don't like problems. I don't cause problems, but maybe it was a misunderstanding from the interrogators and investigators. They did put me in there, in that area, that gets this color. I really don't know, but I don't cause any problems. I don't try for problems. I believe the interrogators do have a role in causing problems sometimes, and causing the orientation where you are to be put because they try to talk and do things, and then they decide you need to be this way or that way, or in that area. I spent about a year and a half in first class in number one. I was fine. I didn't have any problems, but all of a sudden, after a year and a half, it was a mistake, or a misunderstanding whatever. They talk the wrong stuff about me, wrongly, and then all of a sudden, they move me to this color, and I don't know. I decided after a few months after I got here, I decided to be really cooperative and to help, and to be easily committed because I don't to be causing problems, to make things easier for them, and myself. So, everything we added, was in good terms, the right way.

Q. I understand from the last allegation on the paper, where it's stated that you admitted to being a terrorist and you said that must be some type of misunderstanding. I understand what you are saying. Is there anything you can think of, very shortly we are going to go into a classified session in this tribunal, and it will only be the three of us and we will be reviewing information. Can you think of anything that you might have said during past interrogations that you would like to change, or maybe, think, that well, there could be some type of misunderstanding in this type of area, this is an opportunity for you to provide us more information on something you said in the past?

A. Really, I don't have anything specific. I know that in the beginning, when I got to Cuba, the first interrogations, there was a lot of misunderstanding, a lot of miscommunication between the interrogators and me. Those interrogators, they caused problems, and there was friction between us and that's why I decided to stop talking. I didn't want to talk or participate anymore. Then afterwards, they realized that it was their mistake, and then they brought me decent interrogators, very good interrogators and then I started talking again. The first interrogators really gave me a very negative impression about Americans. After that, they brought different interrogators and they were fine. I got along with them. But, still until now, it wasn't always what the interrogators said, oh, he's not good, oh he's not right, and that there would be some bad communication, and bad behavior, whatever, until now, it's ongoing. If the interrogators treat me right, I treat him right and they cooperate with me, the same thing with the guards and soldiers. Even the people I live with or, whoever I'm with, if they treat me right, I treat them right, that's all.

Q. How's your English?
A. Very weak. I was even hoping to learn a little bit here. But the behavior with the guards and stuff, if you talk to them, they don't talk to you back. Not all of them of course, just some of them. I found it really hard to learn.

Tribunal Member: I thank you for the information; I thank you for your cooperation and I have no more questions for you.

Tribunal President's questions.

Q. I'm trying to understand, and I hope you can help me understand something here. I still don't know why you chose Pakistan over all other countries to go and seek a medical education in? Was it because of their outstanding medical schools?
A. For me personally, the main reason was the financial reason. I'll tell you the reason that is important to me. Because they were the cheapest, that was the main reason, that's important to me. And the Visa and the plane ticket indicate that, because the Visa to Pakistan is not like a Visa to other countries, it's different. Even the plane ticket to Pakistan is different. Also in Pakistan, (there are) no cheats, no robbers, no nothing, so, if you go to other places, you would be scared that your money would be stolen, or you get lost or you get into trouble.

Q. But you indicated in the house you were staying in that you had difficulty communicating with the housekeepers, or your hosts because they spoke a different language.
A. This is not really a problem that would stop me from going to [redacted] it would be just practical, just practical problems. It's nothing that would scare me personally.

Q. But the Pakistan people, their language is not Arabic, is that correct?
A. Yes, of course, but the places I traveled to, they have people who speak Arabic.

Q. But, would the medical school professors speak Arabic? Not likely.
A. Yes, of course, they would be in English. They had to study English there. Yes, of course I had to study English at the same time as my medical studies. That's what I'm told. That's what I think, that's the same thing in [redacted]. All medical studies are in English, a very small percentage which was in Arabic, and that's even in [redacted] too. You had to study English at the same time as studying other things.

Q. So, no matter what school you attended in what country, all the courses would be in English?
A. Except Syria, I believe that's they only one that had medical studies (not in English).

Q. So, you were going to have to learn English no matter where you went, unless you went to Syria?
A. Yes.

Q. In the time that you were in Pakistan, had you chosen a college that you were going to attend?
A. Of course, I couldn't. I just started by gathering the information and stuff; I couldn't because of the problems. And, I'm sad for that.

Q. Give me a couple of examples of medical schools in Pakistan. What are some of the names you were considering?
A. I don't recall the name exactly, but, when I was in high school, I had some friends that finished high school and they went to Islamabad to study medicine. That was my intention to go to Islamabad. When I was in high school I had friends, and they were talking about studying and practicing medicine. They didn't tell me the name of that college.

Q. Do you have any other information to present to this tribunal today?
A. No I don't.

Tribunal President: Thank you for your testimony today.

The Tribunal President confirms that the Detainee had no further evidence or witnesses to present to the Tribunal. The Detainee has a comment about the process.

Detainee: As of today, I have never received any letters, never got any, would it be possible to get help on this?

Tribunal President: The same procedures that you have used in the past will be available to you again, and as long as you are here, you can utilize those procedures to contact your family.

Detainee: I couldn't get in touch with them.

Tribunal President: Unfortunate as it may be from your past experience in trying to get responses from your family, hopefully, if you need to contact them, because of the Administrative Review Board, you'll have better success.

Detainee: I wish that too.

The Tribunal President explains the remainder of the Tribunal process to the Detainee and adjourns the Tribunal.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

[redacted]

Colonel, United States Marine Corps
Tribunal President